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6	DISTRICT OF NEVADA	
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7  
8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10  
11 **United States of America,**  
12 Plaintiff,  
13 v.  
14 **Kevin McAuliffe,**  
15 Defendant.

16 Case No 2:11-cr-00365-JCM -RJJ

**Criminal Information**

**VIOLATIONS:**

18 U.S.C. § 1341 - Mail Fraud

17 **THE UNITED STATES ATTORNEY CHARGES:**

18 At all times relevant:

19 1. Kevin McAuliffe was employed as a Roman Catholic Priest at St. Elizabeth Ann  
20 Seton Church in Las Vegas, Nevada.

21 2. St. Elizabeth Ann Seton Church is a parish within the Roman Catholic Church  
22 Diocese for Las Vegas, Nevada.

23 3. McAuliffe was the financial director of the parish and primarily responsible for  
24 financial matters.

25 4. McAuliffe was signatory on all parish bank accounts and had access to funds in the  
26 parish safe, including but not limited to money from offertory collections, the votive candle

1 collection box, and sales from the parish gift shop.

2 5. McAuliffe held a personal American Express credit card and had authority to  
3 reimburse himself from the parish's general bank account for church-related expenses.

4 6. McAuliffe was required to submit to the Diocese approximately thirteen percent  
5 (13%) of the parish's adjusted gross income as documented in the financial statements he prepared  
6 for the parish. Adjusted gross income included money generated by offertory collections from  
7 parishioners, votive candles, youth group activities, fees for baptisms, funerals and marriages,  
8 mission funds, and fund-raising activities.

9 7. McAuliffe was required to submit to the Diocese annual financial statements on  
10 behalf of the parish, supported by complete and accurate documentation.

11 8. The Diocese relied on the parish's financial statements to prepare financial  
12 statements it mailed to the Archdiocese of San Francisco.

13 9. In 2006, McAuliffe began serving on the Las Vegas Diocese Finance Committee.

14 **COUNTS ONE THROUGH THREE**

15 Mail Fraud

16 10. From in or about 2002 to in or about 2010, in the State and Federal District of  
17 Nevada,

18 **KEVIN MCAULIFFE,**

19 defendant herein, did devise and intend to devise a scheme and artifice to defraud and for  
20 obtaining money and property by means of materially false and fraudulent pretenses,  
21 representations, and promises, to wit: the defendant stole money from the parish, then created false  
22 financial statements that concealed his theft of the money.

23 11. It was part of the scheme and artifice that McAuliffe stole money from the parish by  
24 taking money from the votive candle collection, the gift shop, the mission fund, and the parish's  
25 general bank account.

26

1           12. It was further part of the scheme and artifice that McAuliffe stole money from the  
 2 parish by reimbursing himself from the parish's general account for non-church related expenses  
 3 charged to his American Express card.

4           13. It was further part of the scheme and artifice that McAuliffe knowingly created  
 5 materially false financial statements that concealed his theft of funds, thereby underreporting  
 6 parish income and the Diocese's assessment due, knowing that the Diocese would rely on the  
 7 parish's financial statements to create financial statements for the Archdiocese.

8           14. It was further part of the scheme and artifice to defraud that from 2006 to 2010,  
 9 McAuliffe signed letters that accompanied the false financial statements the Diocese mailed to the  
 10 Archdiocese of San Francisco.

11           15. On or about the dates set forth below, in the State and District of Nevada, for the  
 12 purpose of executing the scheme and artifice, McAuliffe caused the following financial statements  
 13 to be placed into a post office and authorized depository for mail matter, to be sent and delivered  
 14 by Postal Service and commercial interstate carrier to the Archdiocese in San Francisco,  
 15 California, with each mailing constituting a separate violation of Title 18, United States Code,  
 16 Sections 1341.

Count	Date	Description
1	December 22, 2008	Financial Statement for Fiscal Year 2007-2008
2	November 11, 2009	Financial Statement for Fiscal Year 2008-2009
3	November 15, 2010	Financial Statement for Fiscal Year 2009-2010

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